

FILED 08 MAR 17 08:26 USC-ORE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GERALD A. MCGUIGAN,

O R D E R
Civ. No. 04-1867-TC

Plaintiff,

vs.

GUY HALL,

Defendants.

AIKEN, Judge:

Magistrate Judge Coffin filed his Findings and Recommendation on January 4, 2008. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When a party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate's report. 28 U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Petitioner has timely filed objections. I have, therefore, given the file of this case a de novo review. I ADOPT the Magistrate's Findings and Recommendation (doc. 71) that petitioner's Amended Petition for Writ of Habeas Corpus (doc. 32)

1 is denied. This case is dismissed.

2 IT IS SO ORDERED.

3 Dated this 12 day of March 2008

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8 Ann Aiken
United States District Judge